

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTONIO VARELA CALERO,

*Plaintiff,*

-against-

GOLDEN ABACUS INC., DANNY LOUIE, LAURA  
WONG, ALBERT C. YUEN, and RICKY SOTO,

*Defendants.*  
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**18-cv-6874-AJN**

DECLARATION OF MICHAEL  
FAILLACE ESQ. IN SUPPORT  
OF PLAINTIFF'S  
ATTORNEYS' MOTION TO  
WITHDRAW AS ATTORNEYS  
FOR PLAINTIFF ANTONIO  
VARELA CALERO

I, MICHAEL FAILLACE, declare under penalty of perjury, pursuant to 28 U.S.C. §1746,  
that:

1. I represent the plaintiff Antonio Varela Calero ("Plaintiff"), in this lawsuit. I submit  
this declaration in support of my motion to withdraw as attorneys for Plaintiff.

2. The reason for the motion to withdraw as attorneys for plaintiff is that we have lost  
contact with him. A paralegal with my office, Felipe Gomez, attempted to contact Plaintiff by  
phone at various times, including, but not limited to, August 16, 2019 and August 20, 2019; and  
by text message on July 10, 2019, July 12, 2019, July 17, 2019, July 22, 2019, July 23, 2019, July  
24, 2019, August 16, 2019, August 20, 2019, and August 26, 2019. I also attempted to contact  
Plaintiff by phone on August 26, 2019.

3. At some point prior to the last contact attempts, Plaintiff told the paralegal with my  
office that he did not want to participate in the action any more, but we were unable to reach  
Plaintiff to confirm this.

4. Because we have lost the ability to communicate with Plaintiff, we are unable to continue to represent him in this action. We respectfully request that the court allow Michael Faillace & Associates, P.C., and myself, Michael Faillace, to withdraw as Plaintiff's attorneys.

5. Michael Faillace & Associates, P.C. does not request a retaining lien, and will promptly turn over any files to substitute counsel, as appropriate.

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York  
October 8, 2019

/s/ Michael Faillace  
Michael Faillace